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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/870,623	05/31/2001	Daniel Mark Dreps	AUS920010256US1	1770

7590 08/27/2003

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EXAMINER

WELLS, KENNETH B

ART UNIT	PAPER NUMBER
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2816

DATE MAILED: 08/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/870,623

Applicant(s)

DREPS ET AL.

Examiner

Kenneth B. Wells

Art Unit

2816

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 18-22 is/are pending in the application.
- 4a) Of the above claim(s) 7-15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 18-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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1. The amendment filed on 5/20/03 has been received and entered in the case, as has the election filed on 7/11/03. The election of claims 1-8, 13 and 18-20 is incorrect, however. The claims which read on the elected species are seen to be claims 1-6 and 18-22.

2. Claims 1-6 and 18-22 are objected to because of the following informalities: In claim 1, it is incorrect to recite the "data signal" and "signal pair" as elements of the invention because they are actually the intended use features of the invention rather than component elements of the claimed interface. On line 5 of claim 1, it is incorrect to recite "detecting" the single-ended signal, i.e., this should be changed to "receiving the single-ended signal" (the signal is not "detected" it is "received"). On lines 6-7 of claim 1, "detection of said single-ended data signal...in conformity with a common mode voltage" is incorrect, i.e., no common mode voltage in the instant drawings is used with the single-ended data signal (note also claim 18, lines 6-8). It is suggested that the last four lines of claim 1 be changed to --a receiver for receiving said single-ended data signal, wherein said receiver also

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receives said differential data pair-- since this is what the instant drawing figures depict.

In claim 2, line 3, "coupled to" should be changed to --for receiving--, and on the last two lines "and further coupled to...data signal" should be deleted.

Claim 3 should also be deleted since it is incorrect, i.e., the singlential comparator of the invention does not perform any summing operation (it only compares the input signals with each other). Claims 4 and 20 have the same problem.

The same changes are needed in claims 5 and 6. Also in claim 5, the limitation on the last four lines is misdescriptive (where is this supported in the specification and/or drawings?). Also in claim 6, it is incorrect to recite that the active mode has a "gain" (modes don't have gains, only amplifiers have gains). On lines 6-8 of claim 6, the recitation "a first channel connection coupled to a resistor for providing active mode operation" is not clear, i.e., what provides the active mode operation? The resistor? Or the connection of the resistor to the fifth transistor?

In claim 18, "second transmitting" is unclear, and it is suggested that the word "second" be deleted.

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in claim 19, lines 3-4 are misdescriptive as well. Where is this limitation supported in the drawings and/or specification description?

In claim 20, line 2, "is comprises" is grammatically improper.

Claims 21 and 22 have the same types of problems noted above as well.

3. Claims 1-6 and 18-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are all indefinite due to the problems noted above.

4. Claim 5 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The specification does not enable the feature of claim 5 recited on the last four lines.

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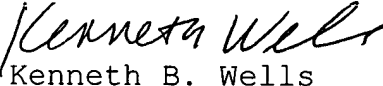
5. In view of the significant problems noted above with the claims, specification And drawings, no prior art can be applied against the claims at this time.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth B. Wells whose telephone number is 703-308-4809. The examiner can normally be reached on Monday through Friday from 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy P. Callahan, can be reached at 703-308-4876. The fax phone numbers for TC2800 are 703-872-9318 (before final) and 703-872-9319 (after final).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is 703-308-0956.

  
Kenneth B. Wells  
Primary Examiner  
Art Unit 2816

August 20, 2003